

## REMARKS

The non-final Office Action dated February 19, 2010 listed the following new grounds of rejection: claims 1-12 stand rejected under 35 U.S.C. § 102(3) as anticipated by Gindele et al. (U.S. Patent No. 6,549,678) ("Gindele"); and claims 13-16 are rejected as obvious over Gindele in view of Hunter (U.S. Patent No. 7,071,978) ("Hunter"). Applicant traverses all of the rejections and, unless explicitly stated by the Applicant, does not acquiesce to any objection, rejection or averment made in the Office Action.

Applicant respectfully traverses the §102(e) rejections of claims 1-12 because Gindele does not teach each limitation of any of the claims. Specifically, Gindele does not teach applying a gain factor to one of the signal components of the incident color channel signal, where the *gain factor is based upon the incident color channel's contribution to the total luminance of the color matrix display*. This limitation is found in both independent claims 1 and 7, and a similar limitation is found in independent claim 12. Gindele teaches applying a "scalar constant" to the individual color channel signal components  $r_{\text{txt}}$ ,  $g_{\text{txt}}$ , and  $b_{\text{txt}}$ . The scalar constant is not based on the individual color channel's contribution to the total luminance. In direct contrast, the exact same scalar constant "m" is applied to each and every color channel—regardless of the respective color channel's contribution to the total luminance. Indeed, Gindelle teaches:

The texture modifier 33 outputs three signals: a modified red texture signal, a modified green signal texture signal and a modified blue texture signal. In the preferred embodiment, the modified red texture signal may be calculated with the expression:

$$r'_{\text{txt}} = m * r_{\text{txt}}$$

where  $r'_{\text{txt}}$  represents the modified red texture signal, m represents the scalar constant determined by the slope calculator and 37, and  $r_{\text{txt}}$  represents the red texture signal input to the texture modifier 33. The modified green and blue texture signals are calculated in the same manner, **dependent only upon the green and blue texture signals input to the texture modifier 33, respectively**. [Gindele at 5:36-46.]

Because the gain factor "m" is identical for all of the color channels, it cannot be *based upon the incident color channel's contribution to the total luminance of the color matrix display*, as required by independent claims 1, 7 and 12. Accordingly, the §102(e) rejections of independent claims 1 and 7, corresponding dependent claims 2-6 and 8-11, and independent claim 12 are improper and Applicant requests that they be withdrawn.

Applicant respectfully traverses the §103(a) rejections of claims 13-16 because Gindele alone or in combination with Hunter does not teach all of the limitations of the claimed inventions. More specifically, the proposed combination does not teach applying a gain factor to one of the signal components of the incident color channel signal, where the *gain factor is based upon the incident color channel's contribution to the total luminance of the color matrix display*. This limitation is found in claim 1 from which claim 13 and 14 depend, and a similar limitation is found in claim 12 from which claims 15 and 16 depend. As such, the § 103(a) rejections fail.

As demonstrated above, Gindele does not teach applying a *gain factor based upon the incident color channel's contribution to the total luminance of the color matrix display* to individual color channel signal components. Moreover, in the previous Office Action dated September 3, 2009, the Examiner acknowledged that Hunter does not teach applying a gain factor based on the incident color channel's contribution to total luminance of the display, as in the claimed invention. (See Office action of Sept. 3, 1009 at page 3.) Because Gindele and Hunter each fail to teach the above limitation, no reasonable interpretation of the asserted prior art in combination render obvious any of the pending claims.

In view of the above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is

encouraged to call Applicants' attorney at the number below if doing so will in any way advance prosecution of this application.

The Commissioner is hereby authorized to charge any fees which may be required, or credit in the overpayment, to Deposit Account No. **07-1896** referencing Attorney Docket No. **348162-982480**.

Respectfully submitted,

**DLA PIPER LLP (US)**

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By: /David L. Alberti/  
David L. Alberti  
Reg. No. 43,465  
Attorneys for Applicant(s)

**DLA Piper LLP (US)**  
2000 University Avenue  
East Palo Alto, CA 94303-2248  
650-833-2052(Direct)  
650-833-2000 (Main)  
650-833-2001 (Facsimile)